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6 Attorneys for Defendants
7 ECHOSTAR SATELLITE CORPORATION, LLC;
DISH NETWORK CALIFORNIA SERVICE
8 CORPORATION; AND DISH NETWORK
SERVICE CORPORATION, LLC
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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 MICHAEL DAYA,

Case No. C 05-1737 CRB

14 Plaintiff,

STIPULATION AND [PROPOSED]
ORDER CONTINUING DEADLINE FOR
COMPLETION OF EARLY NEUTRAL
EVALUATION, CASE MANAGEMENT
CONFERENCE, AND DEADLINE FOR
FILING CASE MANAGEMENT
CONFERENCE STATEMENT

15 v.
16 ECHOSTAR SATELLITE
CORPORATION; DISH NEWORK
17 CALIFORNIA SERVICE
CORPORATION; DISH NETWORK
18 SERVICE CORPORATION;
ECHOSPHERE CORPORATION,,
19

Judge: The Honorable Charles R. Breyer
Dept: 8, 19th Floor

Defendants.

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21 WHEREAS, the deadline for completing Early Neutral Evaluation in the above-
entitled case is currently scheduled for January 5, 2006. This matter is also set for a Further Case
Management Conference on January 20, 2006 at 8:30 a.m. in Courtroom 8, 19th Floor, 450 Golden
Gate Avenue, San Francisco, California 94102; and

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23 WHEREAS, counsel for both parties met and conferred regarding rescheduling of the
Early Neutral Evaluation deadline, Case Management Conference statement filing deadline, and the
Further Case Management Conference; and

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25 WHEREAS, Plaintiff is currently in Syria and is unable to return to the United States

26
27 STIPULATION AND [PROPOSED] ORDER
CONT. ENE DEADLINE AND FURTHER CMC
(NO. C 05-1737 CRB)

1 until January 2006 due to security restrictions on travel between the United States and various
 2 countries in the Middle East; and

3 WHEREAS, the parties have agreed to schedule Plaintiff's deposition and the Early
 4 Neutral Evaluation during the approximately 20-day window while Plaintiff is in the United States in
 5 January 2006; and

6 WHEREAS, the parties have agreed that, in light of Plaintiff's absence from the
 7 Country until approximately January 5, 2006, a continuance of the Early Neutral Evaluation deadline
 8 is necessary to allow Defendants an opportunity to take Plaintiff's deposition prior to the ENE; and

9 WHEREAS, the parties agree that judicial economy would be served by continuing
 10 the deadline for the ENE and the Case Management Conference to allow the parties to complete
 11 ENE prior to any Further Case Management Conference; and

12 NOW THEREFORE, the parties hereby stipulate as follows:

13 1. The deadline for Completing Early Neutral Evaluation should be continued
 14 from January 5, 2006 to January 25, 2006;

15 2. The Case Management Conference hearing currently scheduled for January
 16 20, 2006 may be vacated and the matter reset for hearing on Friday, February 17, 2006 at 8:30 a.m.
 17 in Courtroom 8, 19th Floor, or as soon thereafter as it may be held; and

18 3. The parties shall file a Further Case Management Conference Statement with
 19 the Court by Tuesday, February 7, 2005.

20 Dated: November 15, 2005

/s/

NEDA N. DAL CIELO
 LITTLER MENDELSON, A Professional Corporation
 Attorneys for Defendants
 ECHOSTAR SATELLITE, LLC; DISH NETWORK
 CALIFORNIA SERVICE CORPORATION; AND
 DISH NETWORK SERVICE CORPORATION, LLC

25 Dated: November 14, 2005

/s/

BETH W. MORA
 LAW OFFICES OF LUCIUS A. COOPER
 A Professional Corporation
 Attorneys for Plaintiff
 MICHAEL DAYA

1 IT IS SO ORDERED.
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3 Dated: November 16, 2005
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